



March 2, 2022

**MEMORANDUM TO
THE HONORABLE ALLYNE R. ROSS
UNITED STATES DISTRICT JUDGE**

RE: Destin Burks
Docket #: 1:20CR00278

SECOND REQUEST FOR ADJOURNMENT

On October 8, 2021, the defendant pled guilty before Your Honor, to Felon in Possession of Ammunition. The case was referred to the United States Probation Department for completion of a Presentence Investigation Report on October 13, 2021, and assigned to the undersigned. The sentence date is scheduled for May 10, 2022, and the presentence report disclosure date is April 5, 2022. The presentence interview was previously scheduled for November 29, 2021, but the defendant's previous Defense Counsel informed the Probation Department that due to a conflict of interest, he would no longer represent the defendant, and new counsel was appointed on December 27, 2021. A subsequent attempt for a presentence interview was scheduled for February 2, 2022. Prior to the interview, due to a disciplinary incident, the defendant was moved to the Federal Detention Center Philadelphia, in Philadelphia, Pennsylvania. A presentence interview has yet to be rescheduled due to ongoing communication issues between the defendant and Defense Counsel. Once the interview is scheduled and completed, the defendant's personal history will need to be investigated thoroughly and the presentence report prepared.

In order to provide the Probation Department with sufficient time to conduct the presentence investigation, as well as to provide the Government and Defense Counsel with ample time to respond to the presentence report following disclosure, we respectfully request an adjournment of the sentence date of at least 2 months.

Prepared by:

/s/ Michelle Malko
Michelle B. Malko
U.S. Probation Officer
(347) 534-3449

☒ Adjournment Request Granted ☐ Adjournment Request Denied

New Sentence Date/Special Instructions: Please send out pending

/s/ (ARR)
The Honorable Allyne R. Ross
United States District Judge

Date

3/15/22.

cc: Saritha Komatireddy, Assistant United States Attorney
Carlos Santiago, Defense Counsel